

## LABOUR DEPARTMENT

The 22nd June, 1987

No. 9/4/87/Lab./3041.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. The Hindustan Waste Processing Factory Pvt. and (ii) The Private Business and Supply Company Pvt. Ltd., Yamuna Nagar :—

BEFORE SHRI S. B. AHUJA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 169 of 1984

between

THE MANAGEMENT OF M/S THE HINDUSTAN WASTE PROCESSING  
FACTORY PVT. & THE PUNJAB BUSINESS SUPPLY COMPANY PVT.  
LTD., YAMUNANAGAR AND ITS WORKMEN C/O GENERAL SECRETARY,  
PUNJAB BUSINESS AND SUPPLY MAZDOOR SANGH B. M. S. OFFICE,  
JAGADHARI

Present :—

Shri Indersen Bansal, Authorised Representative for the workmen.

Shri K. D. Sehgal, Authorised Representative for the management.

## AWARD

1. In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the management of M/s Hindustan Waste Processing Factory Pvt., and The Punjab Business and Supply Company Pvt. Ltd., Yamunanagar and its workmen to this Tribunal for adjudication :—

- (1) Whether the workmen are entitled to increase in their D. A. at the rate of Rs. 2/- per point in accordance of costs of living index ? If so, with what details ?
- (2) Whether the workmen are entitled to *ad hoc* increase in their wages ? If so, to what details ?
- (3) Whether the casual workers are entitled to increase in their wages in any manner ? If so, with what details ?
- (4) Whether the casual workers who have rendered more than one year service should be made permanent and are entitled to consequential benefits ? If so, with what details ?

2. The above reference was made on character of demands submitted by workmen through its Union styled Punjab Business & Supply Mazdoor Sangh (Regd.). The Charter of demands was signed by S/Shri Indersen Bansal and Puran Chand, President of the Union.

3. The reference was contested by the respondent-management on various grounds which need not be repeated because the case is being decided otherwise than on merits.

4. During the pendency of the reference, a joint application was also submitted by the management and the workmen through its union namely, Punjab Business and Supply Company Workers Union (regd.). In that application, it was alleged that overwhelming majority of the workers, who were member of the Punjab Business & Supply Mazdoor Sangh at the time of submission of demands, deserted the said Union and members of the Punjab Business & Supply Company Workers Union and thereafter the parties negotiated and entered into a settlement under section 18 (1) of the Industrial Disputes Act, 1947. It was alleged that 198 workers out of total strength of 208 workers entered into settlement.

5. During the pendency of the aforesaid reference and joint application, Indersen Bansal General Secretary, and Puran Chand, President of the workmen Union namely, Punjab Business &

Supply Mazdoor Sangh (Regd.) have made a statement today for dismissal of the reference as having been withdrawn. Their statement is to the following effect :—

Statement of Shri Indersen Bansal, General Secretary on S. A. and Shri Puran Chand, s/o Shri Mangloo Ram, Age 37 years, service in the respondent Mills (President of the Union) on S. A.

"The demand notice in this reference was given by us on behalf of the workmen Union in our capacity as General Secretary and President of the Punjab Business & Supply Mazdoor Sangh Regd. The workmen have amicably settled the dispute with Management. The workmen in meeting, dated 28th March, 1987 and 17th March, 1987 have passed a resolution and authorised General Secretary Indersen Bansal to withdraw the reference No. 169/1984. We accordingly pray that this reference may be dismissed as withdrawn. The resolution of the Union is Ex. W-1 and W-2."

6. On the other hand, Shri K. D. Sehgal, General Manager of the respondent factory has made a statement that reference may be dismissed as prayed for by the Authorised Representatives for the workmen.

7. In view of the statement made by the parties the present reference is dismissed as withdrawn. The award is passed accordingly. No order as to costs.

Dated, the 2nd April, 1987.

S. B. AHUJA,  
Presiding Officer,  
Industrial Tribunal Haryana,  
Faridabad.

Endst. No. 475, dated the 30th April, 1987.

Forwarded (four copies) to Financial Commissioner & Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

S. B. AHUJA,  
Presiding Officer,  
Industrial Tribunal Haryana,  
Faridabad.

No. 9/4/87-Lab./3043.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Vivid Poly Packaging, 14/7, Mathura Road, Faridabad :—

BEFORE SHRI S. B. AHUJA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 175 of 1986

*between*

SHRI JAI CHAND JHA, C/O GENERAL SECRETARY, AKHIL BHARTIYA KISAN MAZDOOR —  
SANGTHAN, SARAI KHAWAJA, FARIDABAD AND THE MANAGEMENT  
OF M/S. VIVID POLY PACKAGING, 14/7, MATHURA ROAD,  
FARIDABAD

Present :—

None.

## AWARD

1. In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Jai Chand Jha, workman and the management of M/s. Vivid Poly Packaging, 14/7, Mathura Road, Faradabad, to this Tribunal, for adjudication:—

Whether the termination of services of Shri Jai Chand Jha is justified and in order? If not, to what relief is he entitled?

2. Notices were issued to the parties, but the parties did not appear despite service and as such *ex parte* proceedings were ordered against both the parties.

3. It appears that parties are not interested in the award.

4. Hence the reference is dismissed for non-prosecution by the workman.

S. B. AHUJA,

Dated, the 27th April, 1987.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endst. No. 466, dated 30th April, 1987.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

S. B. AHUJA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 9/4/87-6Lab./4933.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Modern Machine Tools, 5-D/119 Faridabad:—

BEFORE SHRI S. B. AHUJA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 166/1986

between

SHRI RAM NARESH JAISWAL, EAST INDIA COLONY, SECTOR-22, HOUSE NO. 147,  
FARIDABAD AND THE MANAGEMENT OF M/S MODERN MACHINE TOOL'S  
5-D/119, FARIDABAD

Present:—

None

## AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Ram Naresh Jaiswal, workman and the management of M/s Modern Machine Tools 5-D/119, Faridabad to this Tribunal for adjudication:—

Whether the termination of services of Shri Ram Naresh is justified and in order? If not, to what relief is he entitled?

2. Notices were issued to the parties, Shri K. K. Ahuja appeared on behalf of the Management but he absented himself on last date and as such *ex parte* proceedings were ordered against the Management.

3. The workman has not put in appearance despite service of various notices sent under U.P.C. and registered cover. The workman has also been proceeded against *ex parte*.
4. It appears that both the parties are not interested in the award.
5. Hence the reference is answered against the workman for non-prosecution. The award is passed accordingly.

Dated the 17th April, 1987.

S. B. AHUJA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endorsement No. 461, dated 30th April, 1987.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

S. B. AHUJA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

KULWANT SINGH,

Financial Commissioner and Secretary to Government, Haryana,  
Labour and Employment Departments.

श्रम विभाग

आदेश

दिनांक 15 जून, 1987

सं० ओ० वि० /एफ. डी./87/22831.—चूंकि हरियाणा के राज्यपाल की राय है कि मै० ओसवाल इन्जिनियरिंग एण्ड जनरल वर्क्स, 48, औद्योगिक क्षेत्र फरीदाबाद, के श्रमिक श्री लाछन, पुत्र श्री भगैरू मारफत श्री अमर सिंह शर्मा, 1-के/14 एन. आई. टी., फरीदाबाद तथा प्रबन्धकों के मध्य इसमें इसके बाद लिखित मामले के सम्बन्ध में कोई औद्योगिक विवाद है :

और चूंकि हरियाणा के राज्यपाल इस विवाद को न्यायनिर्णय हेतु निदिष्ट करना वांछनीय समझते हैं ;

इसलिए, अब औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण हरियाणा फरीदाबाद, को नीचे विनिदिष्ट मामले जो कि उक्त प्रबन्धकों तथा श्रमिकों के बीच या तो विवादग्रस्त मामला/मामले हैं अथवा विवाद से सुसंगत या सम्बन्धित मामला/मामले हैं न्यायनिर्णय एवं पंचाट तीन मास में देने हेतु निदिष्ट करते हैं :—

क्या श्री लाछन की सेवाओं का समापन न्यायोचित तथा ठीक ? यदि नहीं, तो वह किस राहत का हकदार है ?

आर० एस० अग्रवाल,

उप-सचिव, हरियाणा सरकार,  
श्रम विभाग ।